

Service Date: October 13, 2004

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER OF NORTHWESTERN ENERGY,	)	UTILITY DIVISION
Application for Approval of 2004 Avoided Cost	)	
Compliance Filing -- Schedules QFLT-1 and STPP-1	)	DOCKET NO. D2004.6.96
	)	ORDER NO. 6604

**PROTECTIVE ORDER**

On June 28, 2004, NorthWestern Energy (NWE) filed a Motion for Protective Order to govern certain information expected to be filed in the above-entitled proceeding. NWE requests protection of information relating to market-based coal costs used to compute rates. NWE argues the identified information is trade secret in accordance with § 30-14-402, MCA.

The Public Service Commission (PSC) determines NWE has shown good and sufficient cause in fact and law that the information for which protection is requested is entitled to protection from uncontrolled public disclosure pursuant to § 69-3-105, MCA. Therefore, the PSC grants NWE's request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

Done and dated this 7th day of September 2004, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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BOB ROWE, Chairman

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THOMAS J. SCHNEIDER, Vice-Chairman

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MATT BRAINARD, Commissioner

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GREG JERGESON, Commissioner

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JAY STOVALL, Commissioner

ATTEST:

Connie Jones  
Commission Secretary

(SEAL)

NOTE:        There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Montana Public Service Commission  
Protective Orders and Protection of Confidential Information

## **Nondisclosure Agreement**

(7-26-00)

ARM 38.2.5012

Docket No., D2004.6.96 Order No. 6604  
Order Action Date: September 7, 2004

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

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Typed or Printed Name

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Signature

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Date of Signature

Business Address:

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Employer

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Party Represented